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9 UNITED STATES DISTRICT COURTS  
10 EASTERN DISTRICT OF CALIFORNIA  
AND NORTHERN DISTRICT OF CALIFORNIA  
11 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
12 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

13 RALPH COLEMAN, et al.,  
14 Plaintiffs,  
15 v.  
16 GAVIN NEWSOM, et al.,  
17 Defendants.

Case No. 2:90-CV-00520-KJM-DB  
**THREE JUDGE COURT**

18 MARCIANO PLATA, et al.,  
19 Plaintiffs,  
20 v.  
21 GAVIN NEWSOM,  
22 Defendants.

Case No. C01-1351 JST  
**THREE JUDGE COURT**  
**DECLARATION OF MEGAN LYNCH  
IN SUPPORT OF PLAINTIFFS’  
EMERGENCY MOTION**

DECLARATION OF MEGAN LYNCH

I, Megan Lynch declare:

1. I am an investigator at the Prison Law Office, counsel of record for *Coleman* and *Plata* Plaintiffs. I am also assigned to work on *Armstrong v. Newsom*. I have personal knowledge of the facts set forth herein, and if called as a witness, I could competently so testify. I make this declaration in support of Plaintiffs’ Emergency Motion.

**Disability Inmate Roster Report and Electronic Health Records System**

2. On March 24, 2020, I reviewed the “Disability Inmate Roster” (“Roster”), a report generated and produced by *Armstrong* Defendants monthly. The report that I reviewed was run on March 2, 2020, and produced by email from Defendants on March 2, 2020. I regularly review these reports as part of my duties as an *Armstrong* investigator.

3. The Roster lists all persons identified by the California Department of Corrections and Rehabilitation (“CDCR”) with a Disability Placement Program (“DPP”) code at all CDCR institutions. DPP codes indicate someone’s specific disability. The DPP codes that the CDCR uses are: Mobility (DPW, DPO, DPM, DLT, and DNM); Vision (DPV, DNV); Hearing (DPH, DNH); Speech (DPS); Dialysis (DKD); and Learning (LD). Not all people who are class members in the *Armstrong* case are identified with DPP codes. For example, people who have upper extremity mobility disabilities are not tracked by the CDCR with a DPP code.

**California Institution for Men (“CIM”) - Joshua Hall**

4. I counted the number of people on the Roster identified with DPP codes at CIM in Joshua Hall, a dormitory housing unit on Facility A.

5. In Joshua Hall there are 86 people with DPP codes. Some of those people have more than one type of disability and DPP code.

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1           6.       The table below shows the number of people in Joshua Hall with each DPP  
2 code.

DPP Code	Number of people with the DPP code
DPW	10
DPO	19
DPM	48
DNM	2
DPV	4
DNV	2
DNH	31
DPS	1

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10           7.       On March 24, 2020, I reviewed medical records for the 86 people with DPP  
11 codes living in Joshua Hall. I determined each person's age by using the "Encounter  
12 Search" function in the electronic health record system ("EHRS").

13           8.       The age of people with DPP codes living in Joshua Hall ranged from 32 to  
14 89. Twenty-eight people are aged 60-69. Twenty-seven people are aged 70-79. Seven  
15 people are aged 80-89.

16           9.       I randomly selected six people living in Joshua Hall from the Roster and  
17 reviewed their medical records. I used the "Diagnosis & Problems" tab in the EHRS to  
18 identify what conditions each person has been diagnosed with. These six people have  
19 diagnoses and problems including diabetes, hypertension, hyperlipidemia, renal masses,  
20 atrial fibrillation, chronic kidney disease, chronic obstructive pulmonary disease, hepatitis  
21 C, hypothyroidism, hepatic fibrosis, unspecified systolic (congestive) heart failure, and  
22 HIV.

23           **California Institution for Men - Elm Hall**

24           10.       I counted the number of people on the Roster identified with DPP codes at  
25 CIM in Elm Hall, a dormitory housing unit on Facility D.

26           11.       In Elm Hall there are 122 people with DPP codes. Some of those people  
27 have more than one type of disability and DPP code.

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1           12.     The table below shows the number of people in Elm Hall with each DPP  
2 code.

DPP Code	Number of people with the DPP code
DPW	10
DPO	17
DPM	34
DLT	24
DNM	14
DPV	7
DPH	7
DNH	25
DPS	1

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11           13.     On March 24, 2020, I reviewed medical records for the 122 people with DPP  
12 codes living in Elm Hall. I determined each person’s age by using the “Encounter Search”  
13 function in the electronic health record system (“EHR”).

14           14.     The age of people with DPP codes living in Elm Hall ranged from 26 to 78.  
15 33 people are aged 60-69. 12 people are aged 70-78.

16           15.     I randomly selected six people living in Elm Hall from the Roster and  
17 reviewed their medical records. I used the “Diagnosis & Problems” tab in the EHR to  
18 identify what conditions each person has been diagnosed with. These six people have  
19 diagnoses and problems including asthma, dyslipidemia, fibrosis of liver, hypertension,  
20 seizures, advanced cirrhosis of liver, diabetes, hyperlipidemia, cirrhosis of liver, presence  
21 of automatic (implantable) cardiac defibrillator, ANA positive, cardiomyopathy,  
22 hypothyroid, disorder of lipoprotein metabolism, presence of coronary angioplasty implant  
23 and graft, ventricular fibrillation, unspecified viral hepatitis B without hepatic coma,  
24 chronic viral hepatitis C, and liver disease unspecified.

25           **California Medical Facility (“CMF”) – Dormitory J1**

26           16.     I counted the number of people on the Roster identified with DPP codes at  
27 CMF in J-1, a dormitory housing unit.

1           17.     In J-1 there are 76 people with DPP codes. Some of those people have more  
2 than one type of disability and DPP code.

3           18.     The table below shows the number of people in J-1 with each DPP code.

<b>DPP Code</b>	<b>Number of people with the DPP code</b>
DPO	19
DPM	33
DLT	14
DNM	7
DPV	2
DNV	1
DPH	1
DNH	8

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11           19.     On March 24, 2020, I reviewed medical records for the 76 people with DPP  
12 codes living in J-1. I determined each person's age by using the "Encounter Search"  
13 function in the electronic health record system ("EHRS").

14           20.     The age of people with DPP codes living in J-1 ranged from 42 to 79. 35  
15 people are aged 60-69. 12 people are aged 70-79.

16           21.     I randomly selected six people living in J-1 from the Roster and reviewed  
17 their medical records. I used the "Diagnosis & Problems" tab in the EHRS to identify what  
18 conditions each person has been diagnosed with. These six people have diagnoses and  
19 problems including diabetes, hyperkalemia, unspecified sequelae of cerebral infarction,  
20 hypertension, hyperlipidemia unspecified, unspecified atrial fibrillation, presence of  
21 automatic (implantable) cardiac defibrillator, atherosclerotic heart disease of native  
22 coronary artery without angina pectoris, disorder involving immune mechanism  
23 unspecified, presence of cardiac pacemaker, and nonrheumatic aortic (valve) stenosis.

#### **Monitoring Tours and Photographs**

#### **California Institution for Men, March 2019, October 2019**

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26           22.     On March 11 – 14, 2019, and October 28 – 31, 2019, I participated in  
27 monitoring tours of CIM, along with attorneys employed by the PLO.

1           23.     During the monitoring tours, I walked through and observed the living areas  
2 in all housing units currently occupied by incarcerated people on Facility D at CIM and  
3 directed CIM staff members to take photographs throughout the facility, including inside  
4 the housing units. Other attorneys on my team walked through and observed living areas  
5 for incarcerated people on Facilities A and B at CIM and similarly directed CIM staff  
6 members to take photographs throughout the institution.

7           24.     Following the monitoring tours, we received copies of the photographs  
8 produced by Defendants in PDF format.

9           25.     Attached hereto as **Exhibit A**, is a true and correct copy of 20 photographs  
10 taken by CIM staff members as directed by PLO staff members. 10 photos were taken  
11 during the March 2019 monitoring tour, and 10 additional photos were taken during the  
12 October 2019 monitoring tour.

13           26.     In addition, during the monitoring tour in March 2019, I measured the space  
14 next to 15 beds in Elm Hall on Facility D at CIM. The distance between the beds ranged  
15 from 30" to 40". I did not measure the distance between the other beds in Elm Hall, but it  
16 appeared to me that all the beds were approximately the same distance apart. I saw that the  
17 dormitory was crowded, and that people's belongings were stored in every open space  
18 around the beds and in the walkway between the rows of beds. I saw that people had very  
19 little space to move without coming into contact with other individuals or their belongings.

20           27.     During the monitoring tour in October 2019, I was told by the regularly  
21 assigned correctional officer in Elm Hall that no changes had been made to the distance  
22 between beds in Elm Hall.

23           **California Medical Facility, April 2019, November 2019**

24           28.     On April 9-11, 2019, and November 19-21, 2019, PLO staff members  
25 participated in monitoring tours of CMF.

26           29.     During the monitoring tours, CMF staff members, as directed by PLO  
27 investigator Amber Norris and staff attorney Thomas Nosewicz, took photographs  
28 throughout the institution.

1           30.     Following the monitoring tours, we received copies of the photographs  
2 produced by Defendants in PDF format.

3           31.     Attached hereto as **Exhibit B**, is a true and correct copy of 14 photographs  
4 taken by CMF staff members as directed by PLO staff members. Eight photos were taken  
5 during the April 2019 monitoring tour, and six additional photos were taken during the  
6 November 2019 monitoring tour.

7                   **Substance Abuse Treatment Facility and State Prison, Corcoran (“SATF”),**  
8                   **March 2017, April 2019, June 2019**

9           32.     On March 27-30, 2017, April 15-18, 2019, and June 18-20, 2019 PLO staff  
10 members participated in monitoring tours of SATF.

11           33.     During the monitoring tour in March 2017, SATF staff members, as directed  
12 by PLO investigator Amber Norris and staff attorney Rita Lomio, took photographs  
13 throughout the institution.

14           34.     During the monitoring tours in April and June 2019, SATF staff members, as  
15 directed by PLO investigator Tania Amarillas and staff attorney Rita Lomio, took  
16 photographs throughout the institution.

17           35.     Following the monitoring tours, we received copies of the photographs  
18 produced by Defendants in PDF format.

19           36.     Attached hereto as **Exhibit C**, is a true and correct copy of three photographs  
20 taken by SATF staff members as directed by PLO staff members. One photo was taken  
21 during each of the three monitoring tours.

22                   **Central California Women’s Facility (“CCWF”), September 2017**

23           37.     On September 6-8, 2017, PLO staff members participated in a monitoring  
24 tour of CCWF.

25           38.     During the monitoring tour, CCWF staff members, as directed by PLO  
26 investigator Amber Norris and staff attorney Corene Kendrick, took photographs  
27 throughout the institution.

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1           39.     Following the monitoring tour, we received copies of the photographs  
2 produced by Defendants in PDF format. Attached hereto as **Exhibit D**, is a true and  
3 correct copy of one photograph taken by CCWF staff members as directed by PLO staff  
4 members.

5           I declare under penalty of perjury under the laws of the United States of America  
6 that the foregoing is true and correct, and that this declaration is executed at Berkeley,  
7 California this 25th day of March, 2020.

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          /s/ Megan Lynch  
MEGAN LYNCH